

RECEIVED**JUL 30 2007**

Date: July 30, 2007
To: Ravalli County Commissioners
From: Shaen McElravy
4721 Teddy Bear Ln.
Stevensville, MT 59870
Re: Complaint against the Board of Adjustment/Brooks Hotel

Ravalli County Commissioners

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Dear Commissioners,

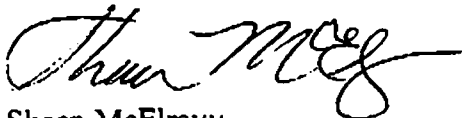
After obtaining and reading copies of findings regarding the Board of Adjustments approval I would like to comment. First, the project should not be granted a variance because of stupidity. If the developer truly spent \$400,000 before asking for the variance the developer made some bad choices. I find it difficult to believe that the developer spent \$400,000 on the property and improvement before asking for the variance. That was the developer's choice and gamble. A prudent person would wait and seek out the variance before making that kind of investment. The Conclusion of Law exhibit A page 3 of 6 is clearly in error. The Board of Adjustment reported that no action on part of the applicant has contributed to the hardship imposed by the interim zoning regulation. The applicant did contribute to the problem by putting the cart before the horse in essence by spending the amount of money that he did for developing the land and "assuming" his request would be granted.

The Boards granting of this variance is a dangerous precedent. Any developer could go in and build roads, spend a substantial amount of money and then say that they should be granted a variance because of the money that they invested should be guaranteed. There are not any guarantees, yet the yes vote by the Board of Adjustment will put precedents in place, which will guarantee the developers right to a variance.

I am also concerned whether or not the applicant truly put in a pre-application in September 2006 for the proposal. Under the old subdivision guidelines I am unsure whether or not an applicant had to submit a pre-application. I am aware that it is in the new guidelines that were revised in November and May.

I commend you that you will be discussing this on Tuesday and will be considering taking legal action to halt the Boards decision. Once again, I appreciate your hard work.

Respectfully,



Shaen McElravy